

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

D.H., C.L., and J.P.,

Plaintiffs,

v.

JANE DOE I, JANE DOE II,
CITY OF ST. LOUIS, MISSOURI,
ST. LOUIS CITY METROPOLITAN
POLICE DEPARTMENT, BOARD OF
POLICE COMMISSIONERS, RICHARD
GRAY, BETTYE BATTLE-TURNER,
THOMAS IRWIN, FRANCIS SLAY,
and ERWIN SWITZER,

Defendants.

Cause No.

JURY TRIAL DEMANDED

NOTICE OF REMOVAL TO PLAINTIFFS D.H., C.L., AND J.P.

Defendants St. Louis City Metropolitan Police Department, Board of Police Commissioners, Richard Gray, Bettye Battle-Turner, Thomas Irwin, Francis Slay, and Erwin Switzer hereby notify this Court of the removal of the case styled *D.H. et al. v. Jane Doe I, et al.*, Case No. 1422-CC09692, from the Circuit Court of the City of St. Louis, State of Missouri, to this Court. As grounds for this removal, Defendants state:

1. On September 24, 2014, plaintiff filed a petition against the Defendants in the Circuit Court of the City of St. Louis, State of Missouri, in *D.H., et al. v. Jane Doe I, et al.*, Case No. 1422-CC09692. On October 20, 2014, plaintiffs filed an amended petition against the Defendants.

2. Count IV, Count V, and Count VI in the amended petition are brought under 42 U.S.C. § 1983 for alleged violations of the plaintiffs' fourth and fourteenth amendment rights.

3. Plaintiffs effected service on defendants, St. Louis City Metropolitan Police Department, Board of Police Commissioners, Richard Gray, Bettye Battle-Turner, Thomas Irwin, and Erwin Switzer on October 22, 2014. Plaintiffs effected service on defendant Francis Slay on October 23, 2014. Defendants have removed this case within thirty days thereafter. Such removal is timely under 28 U.S.C. 1446(b) and *Murphy Brothers, Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 354-355 (1999).

5. Pursuant to Local Rule 2.03 a copy of all process, pleadings, orders and other documents on file in the State court are attached as Exhibit A.

6. Venue is proper in this District under 28 U.S.C. 1441(a), because this District and Division embrace the place in which the removed action has been pending.

7. This Court has original jurisdiction over plaintiffs' civil rights lawsuit under 28 U.S.C. 1331.

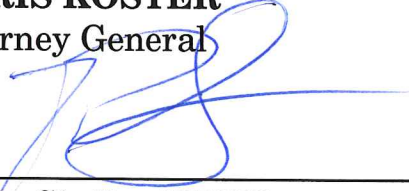
8. Defendants St. Louis City Metropolitan Police Department, Board of Police Commissioners, Richard Gray, Bettye Battle-Turner, Thomas Irwin, Francis Slay, and Erwin Switzer consent to and request this action's removal to the United States District Court for the Eastern District, Eastern Division.

9. Defendants file herewith a filing fee in the amount of \$400.00 and the proof of filing the notice of removal with the Clerk of the State court.

WHEREFORE, Defendants petition this Court for removal of *D.H., et al. v. Jane Doe I, et al.*, Case No. 1422-CC09692, from the Circuit Court of the City of St. Louis, State of Missouri, to this Court.

Respectfully submitted,

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Commissioners, Richard Gray, Bettye
Battle-Turner, Thomas Irwin, Francis
Slay, and Erwin Switzer*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was mailed via first-class mail, postage prepaid, this 6th day of November, 2014, to:

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